

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GERALD CURETON,

Plaintiff,

vs.

Civil Action No.
07-CV-14213

HON. BERNARD A. FRIEDMAN

CHAD SMITH, et al.,

Defendants.

_____ /

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING DEFENDANTS SHELDON AND ST. CLAIR
COUNTY FROM THIS SUIT**

This matter is presently before the Court on Plaintiff's failure to comply with a court order. On January 30, 2008, Magistrate Judge Steven D. Pepe granted Defendants Sheldon and St. Clair County's respective motions for a more definite statement. In doing so, Magistrate Judge Pepe ordered that "[o]n or before February 20, 2008, Plaintiff is required to file an amended complaint detailing specific factual allegations and claims for relief against Defendants Sheldon and St. Clair County." The Magistrate Judge expressly warned that "[f]ailure to timely file an amended complaint will result in a recommendation of dismissal of Defendants Sheldon and St. Clair County from this suit." To date, Plaintiff has failed to file an amended complaint as required. Accordingly, on February 29, 2008, Magistrate Judge Pepe issued a Report and Recommendation ("R&R"), in which he recommends that Defendants Sheldon and St. Clair

County be dismissed from this lawsuit. Plaintiff has not filed objections, and the time to do so has expired.

The Court has had the opportunity to fully review this matter. After conducting a *de novo* review, the Court finds that Magistrate Judge Pepe correctly and thoroughly analyzed all of the issues presented, and that he reached the proper conclusions for the proper reasons. Therefore, the Court will accept and adopt the Magistrate Judge's R&R as the findings and conclusions of the Court. Accordingly,

IT IS ORDERED that Magistrate Judge Pepe's R&R of February 29, 2008, is accepted and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that Defendants Sheldon and St. Clair County are dismissed from this lawsuit.

____s/Bernard A. Friedman_____
BERNARD A. FRIEDMAN
CHIEF UNITED STATES DISTRICT JUDGE

Dated: March 17, 2008
Detroit, Michigan

I hereby certify that a copy of the foregoing document
was served upon counsel of record by electronic and/or first-class mail.

s/Carol Mullins
Case Manager to Chief Judge Friedman